

HOUSE No. 1583

By Miss Garry of Dracut, petition of Colleen M. Garry for legislation to make certain changes in the law concerning low and moderate income housing. Housing.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO LOW AND MODERATE INCOME HOUSING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 20 of chapter 40B of the General Laws as
2 appearing in the 2002 Official Edition, is hereby amended by
3 inserting after the word “year”, in line 39, the following:— or
4 (3) the number of housing units transferred or sold in the prior
5 calendar year at a value not exceeding the maximum sale price for
6 a low or moderate income person as determined by the department
7 of housing and community development exceeds 12 per cent of
8 the total number of housing units transferred or sold during the
9 same period.

1 SECTION 2. Said chapter 40B is hereby further amended by
2 inserting after section 23 the following section:—

3 Section 23A. The department of housing and community
4 development shall promulgate rules and regulations consistent
5 with the preceding sections. Said rules and regulations shall
6 govern the application of the provisions of sections 20, 21, 22,
7 and 23 and shall include, at a minimum: maximum density limits,
8 the minimum percentages of subsidized low and moderate units in
9 each proposed development project in order to qualify for applica-
10 tion of the sections, a provision to allow municipalities to gain
11 credit for units participating in rental voucher programs, and a
12 methodology for determining the local housing needs of a com-
13 munity in view of the regional need for low and moderate income
14 housing considered with the number of low income persons in the

15 municipality affected and the need to protect the health and safety
16 of the occupants of the proposed housing or the residents of the
17 city or town and to promote superior site and building design in
18 the character of its surroundings.